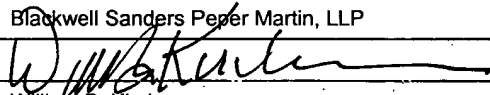
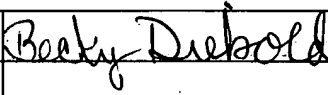
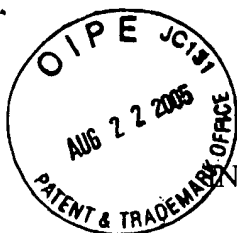
 <h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number		10/761,669			
		Filing Date		January 21, 2004			
		First Named Inventor		Byron J. Masterson, M.D.			
		Art Unit		2873			
		Examiner Name		Jessica T. Stultz			
Total Number of Pages in This Submission		3		Attorney Docket Number		55601.111638	
ENCLOSURES (check all that apply)							
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Drawing(s) <input type="checkbox"/> After Allowance Communication TC <input type="checkbox"/> Fee Attached <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> Petition <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> After Final <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Status Letter <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below); return postcard <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Request for Refund <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Landscape Table on CD <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53							
Remarks: Commissioner is authorized to charge any additional fee that may be due, or credit any overpayment in connection with this patent application to Deposit Account No. 11-0160.							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm Name		Blackwell Sanders Peper Martin, LLP					
Signature							
Printed Name		William B. Kircher					
Date		8/17/2008		Reg. No.		22,481	
CERTIFICATE OF TRANSMISSION/MAILING							
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.							
Signature							
Typed or printed name		Becky Diebold		Date		8/17/2005	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Byron J. Masterson	:	Attorney Docket No.: 55601.111638
Serial No.: 10/761,669	:	Examiner: Jessica T. Stultz
Filed: January 21, 2004	:	Group Art Unit: 2873
For: EYEWEAR HAVING A	:	Customer No.: 027526
MAGNIFIED FIELD OF VIEW	:	Confirmation No. 3397
Last Office Action: August 1, 2005	:	

CERTIFICATE OF MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service, First Class Mail, in an envelope addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

8/17/05  
Date

Becky D. Doherty  
Signature

AMENDMENT

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed August 1, 2005, it is respectfully brought to the Examiner's attention that Figures 1 and 2 included as an attachment to the subject Amendment are merely part of the Response to the United States Patent and Trademark Office Action. These figures are used to discuss the prior art and are not meant to be "replacement" drawings. Please note on page 6 of the Amendment, lines 10 through 12, "Figures 1 and 2 attached hereto show examples of the Menezes, et al. viewing geometry and an example of a viewing geometry of the present invention respectively illustrating the difference between forward viewing and peripheral viewing." (emphasis added).

Applicant respectfully requests the Examiner to allow this application to be placed in condition for allowance based on the foregoing. However, if the Examiner should have any questions or wishes to discuss this with Applicant's attorney, the Examiner is respectfully requested to call the telephone number listed below.

Respectfully submitted,

Date:

8/17/2005



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